

TOESDAY, February 5th, 1861.

Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Potter chairman of the committee on the Judiciary, made the following reports :

The judiciary committee have considered the Senate's bill to define the time of holding the District Courts in the seventeenth Judicial District, and the substitute offered therefor, and direct me to return the same to the Senate, recommending the adoption of the accompanying document to the substitute offered by Mr. Schleicher, and the adoption of the substitute and passage of the bill :

1st Make caption read "an act to reorganize the seventeenth Judicial District, and define the time of holding the District Courts therein.

2nd. In first section, after enacting clause, strike out all of the clause and insert "that the seventeenth Judicial District, shall hereafter consist of the counties of Williamson, Burnet, Llano, Mason, San Saba, Brown and Lampasas, and the District Courts shall be held twice in each year, in each of said counties as follows :"

On motion of Mr. Schleicher rule suspended, report taken up and adopted.

Bill read second time and ordered to be engrossed.

Rule suspended, read third time and passed.

The judiciary committee have considered a bill to reorganize the eighth and twentieth judicial districts, and to define the time of holding the district courts therein ; and direct me to return the same to the Senate, and recommend its passage.

Which, on motion of Mr. Guion, taken up, read and ordered to be engrossed

Rule suspended, read third time and passed.

The judiciary committee have considered a bill to amend the 1116th article, page 260, of the Digest of the laws of Texas, and direct me to return the same to the Senate, and recommend that it do not pass ; the committee can see no good reason for changing the existing laws on the subject of evidence in Justice's Courts, as proposed by the bill.

The judiciary committee have considered a resolution in relation to the issuance of duplicate certificates in certain cases, and direct me to return the same to the Senate and report that the legislation indicated by the resolution is unnecessary That ample provision in relation to the subject matter was made by the

last legislature, in the Court of Claims, [acts 8th Legislature, page 55, section 13.]

Mr. Dulaney, from the Judiciary committee, made the following report :

The Judiciary committee to whom was referred a bill to amend the 136th section of an act regulating the settlement of the estates of deceased persons, have considered the same, and instruct me to report the same back to the Senate, and recommend its passage with the following amendments

The caption to read as follows: "A bill to be entitled an act to amend the 136th section of an act to regulate proceedings in the county court pertaining to estates of deceased persons." After the style, insert the words "that hereafter the above section shall read as follows :

"And after the word "act" in the 15th line, insert "any two of the Commissioners or."

Mr. Guinn, chairman of the committee on Claims and Accounts, to whom was referred the petition of Henry Lyon, asking for relief, returned the same to the Senate, and asked to be discharged from its further consideration.

Mr. Walker, chairman of the committee on Public Lands, to whom was referred a bill to extend the time of the return of pre-emption field notes, reported the same back to the Senate, and recommended its passage.

Mr. Hart introduced a bill to regulate the duties of the Commissioner of the General Land Office, and to define the duties of clerks and employees therein. Read first and second times, and referred to the committee on the Land Office.

Mr. Miller introduced a bill to repeal an act entitled an act to provide for the organization of the militia of the State of Texas. Read first and second times, and referred to the committee on State Affairs.

Mr. Walker introduced a bill granting land to actual settlers. Read first and second times, and referred to the committee on Public Lands.

Mr. Throckmorton introduced a bill appropriating the sum of \$2,500, for the payment of S. G. Havnie, James G. Swisher and James Doyle, for services rendered as Commissioners and Superintendents of the building of the Capitol. Read first and second times, and referred to the committee on Finance.

Mr. Guinn, chairman of the committee on Claims and Accounts, made the following report :

The committee to whom was referred a bill supplemental to an act for the relief of Myrum Mudgett, Daniel Kitchings, A. L.



Spencer and E. G. Cantwell, approved February 8th, 1860, have instructed me to report it back to the Senate, and state that if they should legislate upon subjects of this kind, that the bill ought to pass.

Mr. Parsons, from the committee on Internal Improvements, to whom was referred a bill concerning the Eastern Texas Railroad Company, reported the accompanying substitute, and recommended its passage:

A bill to amend the 8th section of an act to incorporate the Eastern Texas Railroad Company, passed by the 8th Legislature of the State of Texas.

Read and ordered to be engrossed.

Rule suspended, read third time and passed by the following vote:

YEAS.—Messrs. Blanch, Chambers, Duggan, Dulaney, Erath, Fall, Gentry, Grimes, Guinn, Hart, Hyde, Lott, Miller, Parsons, Paschal, Pitts, Potter, Quinan, Rains, Scarborough, Shepard, Throckmorton, Townes, Walker and Whaley—25.

NAYS.—None.

#### ORDERS OF THE DAY.

The report of the committee on Internal Improvements, on a bill to incorporate the Uvalde Irrigation Company, recommending amendments, was adopted and bill ordered to be engrossed.

Rule suspended, bill read third time, and passed by the following vote:

YEAS.—Messrs. Blanch, Duggan, Dulaney, Erath, Fall, Gentry, Grimes, Herbert, Hyde, Martin, Miller, Parsons, Paschal, Pitts, Quinan, Scarborough, Schleicher, Shepard, Townes, Walker and Whaley—21.

NAYS.—Messrs. Guinn and Hart.

The report of the committee on Internal Improvements, on a bill to incorporate the Port Sullivan Railroad Company, was adopted.

A message was received from the House, informing the Senate, that the House had passed Senate's bill to require the Comptroller and Treasurer to receive treasury warrants in payment of certain land dues, with an amendment.

Also, joint resolution with regard to the contract for roofing the Capitol.

Also, that the House concurs in the amendment of the Senate to House bill supplemental to act to regulate estrays.

And, a bill to provide for submitting the Ordinance of Secession to the people

Mr. Shepard presented a communication from C. G. Forshey,

superintendent of the Texas Military Institute, announcing the election of the following persons to membership in the Board of Trustees, to-wit :

A. R. Gates, John Robson, Addison Jones, W. W. White, Sam'l. J. Harrington, Thomas C. Moore and Fred Tate, which was taken up and the said persons confirmed as members of said Board, by unanimous vote of the Senate.

On motion, the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Senate met—roll called—quorum present.

Mr. Walker, chairman of committee on Public Lands, reported a bill granting land to actual settlers, recommend its rejection.

Mr. Paschal, chairman of the committee on Internal Improvements, made the following report :

The committee to whom was referred the House bill to amend the 10th section of an act supplementary and amendatory of an act to regulate Railroad Companies, approved February 7th, 1853, December 19th 1857, and February 8th 1860, have considered the same, and I am instructed to recommend its passage.

The committee have also considered a bill to incorporate the Galveston and Houston Junction Railroad Company, originating in the Senate, and I am instructed by the committee, to recommend the indefinite postponement of said bill.

In recommending the postponement of this bill, the committee is governed by the policy which has been adopted by the committee, and that is to recommend no new charters for Railroads at the present session.

On motion of Mr. Gentry, the bill to amend the 10th section of an act supplementary and amendatory of an act to regulate Railroad Companies, approved, &c., &c., was taken up and passed to a third reading, rule suspended, bill read third time and passed.

A bill to require the Comptroller and Treasurer to receive treasury warrants in payment for certain land dues on amendments of the House. The Senate refused to concur in the amendments by the following vote :

YEAS—Messrs. Dulaney, Erath, Fall, Grimes, Harmon, Hart, Hyde, Miller, Rains, Schleicher, Throckmorton and Whaley—13.

NAYS—Messrs. Blanch, Chambers, Duggan, Gentry, Quinn, Herbert, Lott, Martin, Parsons, Paschal, Pitts, Potter, Quinan, Scarborough, Shepard, Stockdale and Townes—17.

Mr. Herbert, chairman of the committee on Roads, Rivers &c.,



to whom was referred the House bill prescribing police regulations in respect to slaves, reported the same back to the Senate and recommended its passage.

On motion of Mr. Duggan, the bill was taken up, read second time and Mr. Stockdale offered the following amendment :

*Provided*, that in case any owner of a slave or slaves shall give notice to the Captain of the patrol in the beat of his residence, that it is his intencion to patrol his own place, then the said Captain shall not enter upon the place of said owner without his consent, and the said owner shall be responsible to comply with the regulations of this act in regard to the patrol of his own place.

On motion of Mr. Quinan, the bill was referred to the committee on the Judiciary.

Mr. Townes, from the committee on Enrolled Bills, reported an act supplemental to an act to regulate estrays.

And a joint resolution with regard to roofing the Capitol.

An act for the relief of Houston and Texas Central Railway Company.

And an act providing what shall be sufficient *prima facie* evidence in certain cases in suits brought by the State of Texas, correctly enrolled and this day presented to the Governor.

On motion of Mr. Walker, the bill to extend the time for the return of pre-emption field notes, was taken up, read second time. Mr. Quinan offered the following amendment :

*"Provided*, That nothing herein contained shall interfere with vested rights."

Which was adopted, and bill ordered to be engrossed.

Rule suspended, read third time and passed.

On motion, the Senate adjourned until to-morrow 10 o'clock, A. M.

WEDNESDAY, February 6th, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

A message was received from the House informing the Senate that the House had passed the following Senate bills:

A bill for the relief of the Texas and New Orleans Railroad Company.

A bill to incorporate the Lavaca Wharf Company and the following bills originating in that body.